

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

---

No. 10-2354

---

PERNOD RICARD USA, LLC,

Appellant

v.

BACARDI U.S.A., INC.

---

On Appeal from the United States District Court  
for the District of Delaware  
(D.C. No. 06-cv-505)  
District Judge: Hon. Sue L. Robinson

---

Argued  
February 9, 2011

Before: JORDAN, GREENAWAY, JR., and WEIS, *Circuit Judges*.

---

JUDGMENT

---

This cause came to be considered on the record from the United States District Court for the District of Delaware and was argued on February 9, 2011. On consideration whereof, it is now hereby

ORDERED and ADJUDGED by this Court that the District Court's judgment dated April 6, 2010, and entered April 8, 2010, is AFFIRMED. All of the above in accordance with the opinion of this Court. Each party shall bear its own costs.

ATTEST:

/s/ Marcia M. Waldron  
Clerk

DATED: August 4, 2011



Certified as a true copy and issued in lieu  
of a formal mandate on 9/1/11

Teste: *Marcia M. Waldron*  
Clerk, U.S. Court of Appeals for the Third Circuit